

Report Date: ~~FILED IN 2011~~  
JUN 8 2011  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

## United States District Court

for the

Eastern District of Washington

JUN 09 2011

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kenneth Ray Mitchell

Case Number: 2:05CR00053-001

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: March 9, 2006

Original Offense: Conspiracy to Distribute 5 Grams or More of Actual Methamphetamine, 21 U.S.C. § 846, 841(a)(1) and (b)(1)(B)(viii); Distribution of 5 Grams or More of Actual Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii); and Possession with Intent to Distribute 5 Grams or More of Actual Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii)

Original Sentence: Prison - 84 Months; TSR - 48 Months      Type of Supervision: Supervised Release

Asst. U.S. Attorney: Russell E. Smoot

Date Supervision Commenced: March 18, 2011

Defense Attorney: Byron G. Powell

Date Supervision Expires: March 17, 2015

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**PETITIONING THE COURT**
**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<b>Standard Condition # 6:</b> The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.
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**Supporting Evidence:** On March 18, 2011, the defendant released from Bureau of Prisons' custody on the instant Federal offense. The Eastern District of California agreed to provide courtesy supervision in this matter. Mr. Mitchell released to Mojave, California, to reside with his cousin, Jeri Lynn Ibarra.

Ms. Ibarra reported that she has not seen the defendant since May 20, 2011. He has failed to notify the probation office of any change of address. According the Eastern District of California, Mr. Mitchell's current whereabouts are unknown.

Prob12C

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- 2        **Special Condition # 14:** You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.

**Supporting Evidence:** Mr. Mitchell was scheduled to complete a mental health evaluation on May 13, 2011. He arrived 45 minutes late, and had to reschedule the appointment. Mr. Mitchell had a second appointment to complete his mental health evaluation on May 27, 2011; however, failed to report as directed.

- 3        **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** According to the Eastern District of California, Mr. Mitchell admitted to using methamphetamine on March 19, 2011. He submitted a urine sample on March 21, 2011, which returned from the laboratory as confirmed positive for amphetamine/methamphetamine.

On March 25, 2011, the defendant submitted a urine sample that returned from the laboratory confirmed positive for amphetamine/methamphetamine.

On May 18, 2011, the defendant submitted a third urine sample that returned from the laboratory confirmed positive for amphetamine/methamphetamine.

Mr. Mitchell failed to report for drug testing as directed on May 30, 2011.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/08/2011

\_\_\_\_\_  
Matthew L. Thompson

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Matthew L. Thompson  
U.S. Probation Officer

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Prob12C

Re: Mitchell, Kenneth Ray

June 8, 2011

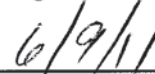
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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date